

# **Trustees of the California State University**

## **Resolutions**

**Resolutions passed by the CSU Board of Trustees at their meeting held on  
January 23-24, 2007 in the Dumke Auditorium located at the California State University  
Office of the Chancellor , 401 Golden Shore, Long Beach, CA 90802**

## **BOARD OF TRUSTEES**

### **Resolution Honoring Lieutenant Governor Cruz M. Bustamante (RBOT 01-07-01)**

**WHEREAS,** The Honorable Cruz M. Bustamante has completed his two terms of service as the Lieutenant Governor of California from 1999 through 2006, and previously was elected as Speaker of the California Assembly; and

**WHEREAS,** During his tenure both as Lieutenant Governor and Speaker, he has, by virtue of these offices, served as a member of the Board of Trustees of the California State University, bearing august responsibility both by his counsel to the Board and by his consideration of the university system in its community and political dimensions; and

**WHEREAS,** He has, by his example of compassionate leadership and passion for educational opportunity and access for all, set an example for all of those associated with the California State University: its students, their families, alumni and the faculty and staff; and

**WHEREAS,** It is altogether fitting that the California State University recognize and applaud outstanding examples of public service to the citizens of this great state; therefore, be it

**RESOLVED,** By the Board of Trustees of the California State University, that this Board honors and commends Cruz M. Bustamante for his many accomplishments as an elected civic leader, wishing him every success in his future endeavors.

**AD HOC COMMITTEE ON INTERNATIONAL PROGRAMS**

**International Programs (RAHIP 01-07-01)**

**RESOLVED**, by the Board of Trustees of the California State University, that the chancellor develop and promulgate additional policies on international programs.

## **COMMITTEE ON AUDIT**

### **Assignment of Functions to Be Reviewed by the Office of the University Auditor for Calendar Year 2007 (RA 01-07-01)**

**RESOLVED,** By the Committee on Audit of the Board of Trustees of The California State University, that the 2007 internal audit plan, including FISMA, Information Systems, Auxiliary Organizations, Construction, Consultations, Investigations, Athletics Administration, Contracts and Grants, and Occupational Health and Safety be approved.

**RESOLVED,** By the Committee on Audit of the Board of Trustees of The California State University, that one additional position be authorized for use in the audits of auxiliary organizations.

## COMMITTEE ON EDUCATIONAL POLICY

### Proposed Title 5 Revision: Educational and Preventive Information Regarding Sexual Violence (REP 01-07-01)

**RESOLVED**, By the Board of Trustees of the California State University, acting under the authority prescribed herein and pursuant to Section 89030.1 of the Education Code, that the Board hereby adopts Section 41550 of Article 5, Subchapter 4, Chapter 1, Division 5 of Title 5 of the California Code of Regulations as follows:

#### § 41550. Educational and Preventive Information Regarding Sexual Violence

Each campus, in collaboration with campus-based and community-based victim advocacy organizations, shall provide educational and preventive information about sexual violence as part of established on-campus orientations. For a campus with an existing on-campus orientation program, this information shall be provided, in addition to the sexual harassment information required to be provided pursuant to subdivision (e) of Section 66281.5 of the Education Code, during the regular orientation for incoming students. The campus shall also post the same information on its campus Internet website.

Each campus is responsible for implementing policies and procedures in accordance with Education Code Section 67385.7 (a) (b) (c) (d).

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### Proposed Title 5 Revision: To Update The Definition Of "Hazing" In The Student Conduct Code To Conform To New Legislation (REP 01-07-02)

**RESOLVED** by the Board of Trustees of the California State University that Section 41301 of Title 5 of the California Code of Regulations be amended as follows:

#### § 41301 Standards for Student Conduct.

- (8) Hazing, or conspiracy to haze, ~~Hazing is as defined as in Education Code Sections 32050 and 32051:~~

~~"Hazing" includes any method of initiation or pre-initiation into a student organization, or any pastime or amusement engaged in with respect to such an organization which causes, or is likely to cause, bodily danger, any method of initiation or pre-initiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university or other~~

educational institution in this state- (Penal Code 245.6), and in addition, any act likely to cause physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any former, student or other-current, or prospective student of person attending any school, community college, college, university, or other educational institution in this state; but The term "hazing" does not include customary athletic events or school sanction events-other similar contests or competitions.

~~A group of students acting together may be considered a 'student organization for purposes of this section whether or not they are officially recognized.~~ Neither the express or implied consent of a victim of hazing, nor the lack of active participation in a particular hazing incident while hazing is going on is a defense. Apathy or acquiescence in the presence of hazing is not a neutral act, and is also a violation of this section.

Note: Authority cited: Sections 66600, 89030, et seq. and 89035, Education Code.

Reference: Sections 32050, 32051 and 89030 et seq., Education Code. Penal Code 245.6.

## **COMMITTEE ON CAMPUS PLANNING BUILDINGS AND GROUNDS**

### **Amend the 2006-2007 Capital Outlay Program, Non-State Funded (RCPBG 01-07-01)**

**RESOLVED**, By the Board of Trustees of the California State University, that the 2006-2007 non-state funded capital outlay program is amended to include: 1) \$54,983,000 for preliminary plans, working drawings, construction, and equipment for the California State University, Sacramento, Student Housing, Phase I project; 2) \$6,572,000 for preliminary plans, working drawings, and construction for the San Diego State University Imperial Valley Off-Campus Center, Solar Photovoltaic project; and 3) \$1,147,000 for preliminary plans, working drawings, and construction for the California State University, Stanislaus, Parking Lot 6 project.

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### **Approval of Schematic Plans (RCPBG 01-07-02)**

#### **1. California State University, Los Angeles—Science Replacement Building, Wing B**

**RESOLVED**, by the Board of Trustees of the California State University, that:

1. The board finds that the Notice of Exemption for the California State University, Los Angeles, Science Replacement Building, Wing B has been prepared and will be filed with the State Clearinghouse pursuant to the requirements of the California Environmental Quality Act.
2. The proposed project will not have significant adverse impacts on the environment, and the project will benefit the California State University.
3. The schematic plans for the California State University, Los Angeles, Science Replacement Building, Wing B are approved at a project cost of \$55,248,000 at CCCI 4890.

#### **2. California State University, Northridge—Student Housing, Phase I**

**RESOLVED**, By the Board of Trustees of the California State University, that:

1. The board finds that the March 2006 California State University, Northridge Master Plan Final EIR and the Addendum completed in November 2006 for the California State University, Northridge, Student Housing, Phase I, have been prepared in accordance with the requirements of the California Environmental Quality Act.

2. The project before this board is consistent with the project description as analyzed in the Addendum to the previously certified Final EIR and does not propose substantial changes to the original project description, which would require major revision to the Final EIR or Findings adopted by this board in certifying said Final EIR.
3. With the implementation of the mitigation measures set forth in the master plan previously approved by the Board of Trustees, the proposed project will not have a significant effect on the environment, and the project will benefit the California State University.
4. The mitigation measures shall be monitored and reported in accordance with the requirements of the California Environmental Quality Act (Public Resources Code, Section 21081.6).
5. The schematic plans for the California State University, Northridge, Student Housing, Phase I are approved at a project cost of \$30,286,000 at CCCI 4633.

**3. California State Polytechnic University, Pomona—Student Housing, Phase II**

**RESOLVED**, by the Board of Trustees of the California State University, that:

1. The board finds that the Notice of Exemption for the California State Polytechnic University, Pomona, Student Housing, Phase II has been prepared and will be filed with the State Clearinghouse pursuant to the requirements of the California Environmental Quality Act.
2. The proposed project will not have significant adverse impacts on the environment, and the project will benefit the California State University.
3. The schematic plans for the California State Polytechnic University, Pomona, Student Housing, Phase II, are approved at a project cost of \$80,059,000.

## **COMMITTEE ON GOVERNMENTAL RELATIONS**

### **Adoption of Trustees' Statement of Legislative Principles (RGR 01-07-01)**

**RESOLVED**, By the Board of Trustees of the California State University, that the Statement of Legislative Principles in Agenda Item 1 of the January 23-24, 2007 meeting of the Trustees' Committee on Governmental Relations be adopted, and be it further

**RESOLVED**, By the Board of Trustees of the California State University, that the Chancellor is authorized to take positions on pending legislation on behalf of the Board of Trustees and California State University system; but in taking such positions, the Chancellor shall consult, when practical, with the Chair of the Committee on Governmental Relations, the Committee on Governmental Relations, the full Board or the Chair of the Board of Trustees; and be it further

**RESOLVED**, That the Chancellor shall keep the Board regularly informed of the positions taken and of such other matters affecting governmental relations as is deemed necessary and desirable.

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### **2007-2008 Legislative Report No. 1 (RGR 01-07-02)**

**RESOLVED**, By the Board of Trustees of the California State University that the proposals described in Agenda Item 2 of the January 23-24, 2007 meeting of the Trustees' Committee on Governmental Relations be adopted as the 2007 Board of Trustees' Legislative Program.

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### **California State University Federal Agenda for 2007 (RGR 01-07-03)**

**RESOLVED**, By the Board of Trustees of the California State University, that the federal legislative program described in the January 23-24, 2007 Agenda, Item 2 Committee of Governmental Relations is adopted as the 2007 CSU Federal Agenda.

## COMMITTEE ON INSTITUTIONAL ADVANCEMENT

### **Donor Commendation – Humboldt State University (RIA 01-07-01)**

**RESOLVED**, that the Board of Trustees of the California State University, expresses its appreciation and commends Kenneth L. Fisher for his exemplary leadership and generosity on behalf of Humboldt State University.

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### **Naming of an Academic Entity — California State University, Fresno (RIA 01-07-02)**

**RESOLVED**, By the Board of Trustees of the California State University, that the Real Estate Center in the Craig School of Business at California State University, Fresno be named the Arnold and Dianne Gazarian Real Estate Center.

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### **Approval of the 2005-2006 Annual Report on External Support to the California State University (RIA 01-07-03)**

**RESOLVED**, By the Board of Trustees of the California State University, that the Board adopts the *2005-2006 Annual Report of External Support to the California State University* for submission to the California Postsecondary Education Commission, the California Joint Legislative Budget Committee, and the California Department of Finance.

## **COMMITTEE ON UNIVERSITY AND FACULTY PERSONNEL**

### **Executive Compensation (RUF 01-07-01)**

**RESOLVED**, By the Board of Trustees of The California State University, that the CSU executive salaries presented in Agenda Item 1 of the January 23-24, 2007 meeting of the Committee on University and Faculty Personnel, be approved for implementation effective July 1, 2006.

## COMMITTEE ON FINANCE

### **Approval to Issue Trustees of the California State University, Systemwide Revenue Bonds and Related Debt Instruments for Various Refinancings (RFIN 01-07-01)**

A resolution was prepared by Orrick, Herrington & Sutcliffe LLP, bond counsel, for multiple refinancings described in Agenda Item 2 of the Committee on Finance at the January 23-24, 2007 meeting of the CSU Board of Trustees that authorize interim and permanent refinancing for: Senior Debt Student Unions – Chico, Fullerton, Northridge, San Diego, and San Francisco; California State University, Channel Islands Financing Authority - Faculty/Staff Housing Refinancing; Cal Poly Pomona Foundation – Center for Training, Technology and Incubation Refinancing and The University Corporation (CSU Northridge) – Bookstore Refinancing.

The proposed resolutions will be distributed at the meeting and will achieve the following:

1. Authorize the sale and issuance of the Trustees of the California State University Systemwide Revenue Bond in an amount not-to-exceed \$69,600,000 to refinance the Senior Debt Student Unions for Chico, Fullerton, Northridge, San Diego, and San Francisco and certain actions relating thereto.
  2. Authorize the sale and issuance of Systemwide Revenue Bond Anticipation Notes and the related sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds in an amount not-to-exceed \$202,975,000 to acquire projects for the purpose of refinancing the CSUCI Financing Authority – Faculty/Staff Housing and certain actions relating thereto.
  3. Authorize the sale and issuance of Trustees of the California State University Systemwide Revenue Bonds in an amount not-to-exceed \$4,250,000 to refinance The University Corporation, CSU Northridge Bookstore and certain actions relating thereto.
  4. Authorize the sale and issuance of the Trustees of the California State University Systemwide Revenue Bonds in an amount not-to-exceed \$3,960,000 to refinance The Cal Poly Pomona Foundation Center for Training, Technology and Incubation and certain actions relating thereto.
  5. Provide a delegation to the Chancellor; the Executive Vice Chancellor and Chief Financial Officer; the Assistant Vice Chancellor, Financial Services; and the Senior Director, Financing and Treasury; and their designees to take any and all necessary actions to execute documents for the acquisition of the projects and the sale and issuance of the bond anticipation notes and the revenue bonds.
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**Public/Private Partnership Residential Condominiums and Hotel and Conference Center Project at California State University, Bakersfield (RFIN 01-07-02)**

1. **RESOLVED**, By the Board of Trustees of the California State University that conceptual approval is given for the development of residential, hotel, restaurant, parking and retail space on the California State University, Bakersfield campus, as described in Agenda Item 3 of the Committee on Finance at the January 23-24, 2007 meeting.
2. Authorize the campus in consultation with the Chancellor's Office to formulate a development plan for the proposed project with the understanding that the development plan and additional information will be presented to the Trustees at key points in the process;
3. Consider the following action items for approval by the Trustees at the appropriate times during the development process:
  - a. The development plan that includes, but is not limited to, an update of the conceptual plan presented to the Trustees, a summary of important terms and conditions of specific agreements negotiated by the campus and the developer, the results of due diligence studies including an assessment of risks associated with the project, and a multi-year financial plan;
  - b. Master Plan revisions;
  - c. Proposed schematic plans; and
  - d. Environmental documents for the project.

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**Approval of Loan for Construction of California State University San Bernardino Palm Desert Health Sciences Center (RFIN 01-07-03)**

**RESOLVED**, by the Board of Trustees of the California State University, that the Trustees: 1) Approve the proposed auxiliary financing in an amount not to exceed \$3.5 million as described and for the purpose indicated in agenda item 4 of the Committee on Finance at its January 23-24, 2007 meeting, and 2) Confirm that the Chancellor; the Executive Vice Chancellor and Chief Financial Officer, the Assistant Vice Chancellor, Financial Services, and the Senior Director, Financing and Treasury, are authorized to take any and all action on behalf of the Board of Trustees and to execute any documents that in their judgment are necessary to assist the auxiliary to complete the financing described herein.